

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

PICATINNY FEDERAL CREDIT
UNION,

Plaintiff,

v.

CUMIS INSURANCE SOCIETY, INC.,

Defendant.

Civil Action No. 11-04853 (ES) (MCA)

PROPONENT FEDERAL CREDIT
UNION,

Plaintiff,

v.

CUMIS INSURANCE SOCIETY, INC.,

Defendant.

Civil Action No. 11-05760 (WHW)(MCA)

**ORDER GRANTING JOINT MOTION FOR AN ORDER
CONSOLIDATING THE PICATINNY ACTION WITH THE PROPONENT ACTION
BEFORE THE HON. MADELINE COX ARLEO, U.S.M.J., FOR PRETRIAL
DISCOVERY PURPOSES ONLY**

This matter being opened to the Court upon the joint application of Saiber LLC, attorneys for plaintiff Picatinny Federal Credit Union (“Picatinny”) and Genova, Burns & Giantomaso, attorneys for plaintiff Proponent Federal Credit Union (“Proponent”), for an Order, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure and New Jersey Local Civil Rule 42.1, consolidating before the Hon. Madeline Cox Arleo, U.S.M.J., for the administration of pretrial discovery only, the action entitled: Picatinny Federal Credit Union v. CUMIS Insurance Society, Inc., Civil Action No. 2:11-cv-04853 (ES) (CLW) (the “Picatinny Action”), with the action

entitled Proponent Federal Credit Union v. CUMIS Insurance Society, Inc., Civil Action No. 2:11-cv-05760 (WHW) (MCA) (the Proponent Action"), which is already before Magistrate Judge Arleo; and the Court having read and considered the Affidavit of Jeffrey W. Lorell and Brief submitted in support of the joint motion, and all papers that defendant CUMIS Insurance Society, Inc. submitted in opposition to, and that Picatinny and Proponent jointly submitted in further support of the motion; and the Court finding that (i) it has jurisdiction over the matters raised in the motion pursuant to Rule 42(a) of the Federal Rules of Civil Procedure and New Jersey Local Civil Rule 42.1; (ii) the Picatinny Action and the Proponent Action involve many common or similar factual issues and allegations; (iii) that the Hon. Madeline Cox Arleo, U.S.M.J., is currently administering the pretrial discovery in the Proponent Action and has administered the pretrial discovery in four previously consolidated cases arising out of the same fraudulent scheme and involving common or similar facts as in the Picatinny Action and the Proponent Action; (iv) the relief requested in the motion is in the best interests of the parties and the Court; (v) adequate notice of the motion and hearing thereon has been given and that no other or further notice is necessary; and (vi) upon the record herein, after due deliberation thereon, and for good cause shown;

IT IS on this 14 day of March, 2012;

ORDERED as follows:

1. The joint motion to consolidate the Picatinny Action with the Proponent Action for pretrial discovery purposes only is hereby granted; and

2. The Picatinny and Proponent Actions are hereby consolidated before the

Hon. Madeline Cox Arleo, U.S.M.J., for the administration of pretrial discovery only; *all documents shall be filed under 11-4853#*

HON. CATHY L. WALDORF, U.S.M.J.

MC Arleo

* Tel copy scheduled for April 5, 2012 at 330 to address: Discovery going forward. 2) any discovery disputes. Joint letters shall be e-filed by March 30-2012